



**LAWS**  
OF THE  
**TERRITORY OF HAWAII**  
PASSED BY THE  
**TWENTY-FIFTH LEGISLATURE**

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**SPECIAL SESSION**  
**1950**

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Convened on Friday, the Twenty-ninth Day of September, and  
Adjourned Sine Die on Friday, the Thirteenth Day of October.

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Direction of the Secretary of Hawaii  
Honolulu, Hawaii

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1951

## FOREWORD

### §§ 2-3, REVISED LAWS OF HAWAII 1945, PROVIDE AS FOLLOWS:

"Sec. 2. Laws published by secretary. The secretary of the Territory shall promulgate all the laws enacted by the legislature, except general or special appropriation acts, loan fund acts, pension acts and franchise acts, by publishing the same once in the English language in a newspaper of general circulation published daily in Honolulu in the English language. Any of such excepted acts may, however, be published when the governor so directs. After such publication, the secretary shall cause the same, together with all other laws duly enacted at any session of the legislature, to be printed, indexed and bound in book form. The index to any volume of the laws enacted at any regular session shall be cumulative and shall include an index of all laws enacted at every preceding regular or special session of the legislature since the publication of the last revision of the laws of the Territory. Before publishing any act in book form, the secretary is directed to conform the style thereof as near as may be with that of the latest revision of the statute law of the Territory. He is directed, before publishing them in book form, to classify all acts by serial letters or numbers or both and to insert appropriate supplementary chapter and section numbers and headnotes together with section histories, wherever necessary to aid in placing amendments or new sections or chapters in an appropriate supplementary sequence with the latest revision of the laws; and such amendments, new sections and new chapters may be cited by reference to such supplementary chapter and section numbers of such latest revision."

"Sec. 3. Certain acts not obligatory until published. No written law, unless otherwise specifically provided by legislative enactment, except general or special appropriation acts, loan fund acts, pension acts and franchise acts, shall be obligatory without first being printed and made public. General or special appropriation acts, loan fund acts, pension acts and franchise acts, whether affecting territorial funds or the funds of county or other municipal subdivisions or commissions, shall become operative according to their respective terms merely by being passed and approved in the manner provided by sections 44 to 54, inclusive, of the Organic Act without the necessity of any other promulgation than the ultimate inclusion thereof in the bound volume of respective session laws as provided in section 69 of the Organic Act."

### §§ 2-3, JOINT RESOLUTION No. 4, 1945, PROVIDE AS FOLLOWS:

"Section 2. That the secretary of the Territory be and he is hereby authorized, in complying with the provisions of section 2 of said Revised Laws, before publishing any Act in book form, to change or correct any chapter or section numbers contained as a part of or referred to in any such Act, whenever necessary to carry out the intent of said section 2. Such changes shall be made on the engrossed copy of each such Act and shall be initiated by the secretary thereon."

"Section 3. That any Act of the legislature may be cited by reference to the chapter and section numbers as inserted or added or changed by the secretary of Hawaii pursuant to the provisions of said section 2 and the provisions of this resolution as the same are set forth in the printed volume of the laws enacted at any regular session of the legislature, published in book form by said secretary pursuant to the provisions of said section 2 and of this resolution."

THE LATEST REVISION OF THE STATUTE LAW WAS ENACTED IN 1945 BY ACT 1, SERIES A-1, AND IS PUBLISHED IN A VOLUME ENTITLED "REVISED LAWS OF HAWAII 1945."

(The valuable assistance of Hon. Jon Wiig in the compilation of the cumulative material in this volume is acknowledged.)

## CERTIFICATE

Territory of Hawaii  
Office of the Secretary

I, Frank G. Serrao, Secretary of the Territory of Hawaii, do hereby certify that the printed Acts and Joint Resolution set forth herein are true and correct copies of the original Acts and Resolution enacted by the Twenty-fifth Legislature of the Territory of Hawaii at its special session of 1950, which was convened in Honolulu on Friday, the twenty-ninth day of September, 1950, and adjourned sine die on Friday, the thirteenth day of October, 1950; that all such Acts and Resolution were approved by the Governor of Hawaii in accordance with the provisions of the Organic Act.

I further certify that all of such Acts and Resolution required to be promulgated by publication have been duly published in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the Territory of Hawaii on the 19th day of December, 1951.



Frank G. Serrao  
Secretary of Hawaii

161948

CHIEF EXECUTIVE AND OFFICERS AND MEMBERS  
OF THE TWENTY-FIFTH LEGISLATURE OF THE  
TERRITORY OF HAWAII

SPECIAL SESSION OF 1950

Governor of Hawaii.....Ingram M. Stainback

SENATE

President.....Wilfred C. Tsukiyama, Honolulu, Oahu  
Vice-President.....Eugene S. Capellas, Hilo, Hawaii  
Clerk.....Ethel C. Chillingworth, Honolulu, Oahu

District	Name	Address
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	*Hill, William H. (R).....	Hilo, Hawaii
	Nobriga, William J. (R).....	P. O. Box 882, Hilo, Hawaii
	*Silva, Charles H. (R).....	Kohala, Hawaii
Second.....	Ansal, Toshio (R).....	Walluku, Maui
	Duarte, John G. (D).....	P. O. Box 442, Walluku, Maui
	*Goodness, Reuben (D).....	Walluku, Maui
Third.....	*Blaisdell, Neal S. (R).....	749—16th Ave., Honolulu, T. H.
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	*Heen, William H. (D).....	1535 Thurston Ave., Honolulu, T. H.
	Lee, Herbert K. H. (D).....	304 Hawaiian Trust Bldg., Honolulu, T. H.
	*Tsukiyama, Wilfred C. (R).....	Room 12, Campbell Bldg., Honolulu, T. H.
	Fourth.....	Aguiar, Manuel R., Jr. (D).....
	*Fernandes, John B. (D).....	Kapaa, Kauai

\* Holdovers

D—Democrat ..... 6  
R—Republican ..... 9

# OFFICERS AND MEMBERS OF THE LEGISLATURE

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 Vice-Speaker.....Hebden Porteus, Honolulu, Oahu  
 Clerk.....James S. Achong, Honolulu, Oahu

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	Tagawa, Thomas T. (D).....	P. O. Box 763, Wailuku, Maui	
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Kauhane, Charles Ernest (D).....		159 N. Hotel Street, Honolulu, T. H.	
Kido, Mitsuyuki (D).....		404 N. Kuakini Street, Honolulu, T. H.	
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	Kawakami, Norito (R).....	P. O. Box 1708, Lihue, Kauai	
	Marcallino, A. Q. (R).....	Eleele, Kauai	
	Miyake, Noboru (R).....	Waimea, Kauai	

D—Democrat ..... 10  
 R—Republication ..... 20



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**LAWS OF THE TERRITORY OF HAWAII**  
**PASSED BY THE**  
**TWENTY-FIFTH LEGISLATURE**  
**SPECIAL SESSION**

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**ACT 1**

An Act to Appropriate Money for the Expenses  
of the Legislature of the Territory of Hawaii.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. There is hereby appropriated from the public treasury the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii for the Second Special Session.

Section 2. There is hereby appropriated from the public treasury the sum of thirty-five thousand dollars (\$35,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii for the Second Special Session.

Section 3. The expenses of any member of the legislature while traveling abroad on official business of the legislature shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945, as amended by Act 322 of the Session Laws of Hawaii 1949, or by the provisions of any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives respectively as to members of said Senate or of said House of Representatives.

Section 4. This Act shall take effect upon its approval.

(Approved October 4, 1950.) H.B. 1, Act 1.



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**ACT 2**

An Act to Amend Act 27 of the Session Laws of 1949, Relating to Harbor Improvements at Lahaina, Maui.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. Act 27 [Series F-388.] of the Session Laws of Hawaii 1949, is hereby amended in the following respects:

(a) By amending Section 1 thereof to read as follows:

“Section 1. There is hereby appropriated from the general funds of the Territory not otherwise appropriated the sum of \$75,000, or so much thereof as may be required, for the construction of a breakwater, for dredging and for other harbor improvements at Lahaina, Maui.”

(b) By deleting Section 3 thereof.

Section 2. This Act shall take effect upon its approval.

(Approved October 16, 1950.) **H.B. 4, Act 2.**

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**ACT 3**

An Act Relating to Major Disasters and Making an Appropriation Therefor.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. There is hereby appropriated the sum of \$1,000,000.00 from the general revenues of the Territory of Hawaii, not otherwise appropriated.

Section 2. The money hereinabove appropriated, or so much thereof as may be necessary, shall be expended by or under the direction of the governor for immediate relief in the event of major disaster in any part of the Territory of Hawaii. In expending such money, the governor may allot any portion thereof to any agency, officer or employee, federal, territorial or county, for the more speedy and efficient relief of the conditions created by such disaster.

Section 3. The governor shall have power to conclusively determine whether a disaster contemplated by this Act, has occurred.

Section 4. This Act shall take effect upon its approval.

(Approved October 26, 1950.) **S.B. 5, Act 3.**

## HAWAII STATEHOOD COMMISSION

### ACT 4

An Act Relating to Statehood: Amending the Law Relating to the Hawaii Statehood Commission; and Making an Appropriation to Said Commission for the Advancement of the Cause of Statehood.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. Act 115 [Series F-217.] of the Session Laws of Hawaii 1947, as amended by Act 365 [Series E-314.] of the Session Laws of Hawaii 1949, is hereby further amended in the following respects:

(a) By amending paragraph 6 of Section 2 thereof to read as follows:

"6. To appear, by all or such of its members, or by such members of its staff, or both, as are designated by the commission or by the chairman through authority granted by the commission, or by such members of any holdover committee as may be designated by such committee and requested by the commission or the chairman thereof, or by such members of the legislature as may be designated by the commission or the chairman thereof, or by such of the delegates to the Constitutional Convention of 1950, or by such technical or legal advisers, as may be designated by the commission or the chairman thereof, before Congress or any member or committee thereof or before any bureau or department or officer of the federal government in regard to duty (1) of this section, or, upon request of the governor, the delegate to Congress or the legislature, in regard to any legislation affecting the Territory;"

(b) By amending paragraph 3 of Section 6, as amended, to read as follows:

"The expenses of said holdover committee of the legislature or any subcommittee thereof, or any member of said holdover committee, or any member of the legislature, any delegate to the Constitutional Convention of 1950, or any technical or legal adviser, incurred by any appearance under the provisions of section 4 or incurred at the request of the commission or its chairman, shall be paid by the commission. The expenses of any commissioner or any member of the staff of the commission, or any member of said holdover committee of the legislature, or any member of the legislature, or any delegate to the Constitutional Convention of 1950, or any technical or legal adviser, while traveling abroad on official business, shall not be limited by the provisions of Section 455 of the Revised Laws of Hawaii 1945, as amended by Act 322

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of the Session Laws of Hawaii 1949, or by the provisions of any other general statute but shall be as allowed by the commission or said holdover committee of the legislature, as the case may be, and such expenses need not be supported by vouchers.”;

Section 2. There is hereby appropriated from the general revenues of the Territory of Hawaii the sum of \$25,000.00 for the purposes of said Act 115, as heretofore amended and as amended by this Act. The foregoing appropriation shall be in addition to all appropriations heretofore made.

Section 3. This Act shall take effect upon its approval.

(Approved October 27, 1950.) S.B. 2, Act 4.

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**ACT 5**

An Act Making Appropriations for Public Improvements.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. The following sums, or so much thereof as may be necessary, are hereby appropriated from the general revenues of the Territory, not otherwise appropriated, for the following purposes:

1. Flood control project at Waimea,  
County of Kauai.....\$475,000.00
2. Drainage canal for Iao Stream at  
Wailuku, County of Maui..... 100,000.00
3. Flood control project at Waiakea Home-  
steads and Kapiolani Tract, South  
Hilo, County of Hawaii (disapproved)..... 100,000.00
4. Construction of a water system for the  
Districts of North and South Kona..... 300,000.00
5. Auditorium, Farrington High School  
(disapproved) ..... 400,000.00
6. Installation of a 12" water main along the mauka  
side of Kalaniana'ole Highway from Aloiloi  
Street to Nalu Street and an 8" water main  
from Nalu Street to the northern boundary of  
Kaupo Road, District of Koolaulupoko (dis-  
approved) ..... 250,000.00
7. Construction of new water pipe line for the  
water system to serve the residents at beach  
lot area at Nanakuli, Oahu (disapproved)..... 50,000.00
8. Improvements to water system, Kula, Maui  
(disapproved) ..... 200,000.00

## APPROPRIATIONS—KAUAI FLOOD CONTROL

Section 2. The moneys appropriated by this Act shall be expended by the respective board of supervisors of the county in which such improvements are to be made in accordance with plans and specifications prepared by the engineers of such county; **provided**, however, that no moneys shall be expended for any project until the methods, materials, plans and specifications for the same shall first have been passed upon and approved by the superintendent of public works of the Territory, who, before giving such approval, shall inspect the locality in which the improvements are to be made and shall familiarize himself with the conditions affecting such improvements; **provided**, further, that such approval shall not be required in the construction of the water system in the districts of North and South Kona, which shall be undertaken and completed by the board of water supply of the county of Hawaii as prescribed by Act 86 of the Regular Session Laws of Hawaii 1949; and **provided**, further, that such approval shall not be required in the improvements of the water system in the districts of Kula, Maui, which shall be undertaken and completed by the board of water supply of the county of Maui.

Section 3. The moneys appropriated by this Act shall be in addition to any other appropriation heretofore made for the same purposes.

Section 4. This Act shall take effect upon its approval.

(Approved October 27, 1950.) S.B. 3, Act 5, with the exception of Items 3, 5, 6, 7 and 8, which are disapproved.

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### ACT 6

An Act to Amend Act 38 of the Regular Session Laws of Hawaii 1949, Providing for the Construction of a Drainage Canal, and for the Acquisition of Land and Rights of Way for Flood Control Purposes in the County of Kauai.

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. Act 38 [Series F-379.] of the Session Laws of Hawaii, Regular Session of 1949, is hereby amended to read as follows:

“Section 1. The board of supervisors of the county of Kauai is hereby authorized and directed to appropriate the sum of fifty thousand dollars for the construction of a drainage canal, following the course of the present drainage ditch starting from the pali, running eastward across the Waimea Valley and emptying into the Waimea River, of a size sufficient to prevent the periodic flooding of Waimea, county of Kauai.

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“Section 2. So much of the funds herein directed to be appropriated, as shall be in excess of the amount required for construction of the said canal, shall be expended to acquire land and rights of way for the purpose of flood control in the vicinity of Waimea, county of Kauai.

“Section 3. The moneys appropriated in accordance with this Act shall be expended under the supervision and direction of the county engineer, in cooperation with the superintendent of public works, Territory of Hawaii.”

Section 3. This Act shall take effect upon its approval.

(Approved October 27, 1950.) S.B. 7, Act 6.

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**J.R. 1**

**Joint Resolution Providing for the Submission to the People of the Territory of Hawaii of the Constitution Framed by the Convention Held Pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the Event of Failure of Ratification, the Framing and Submission of a New Constitution, and Making Appropriations Therefor.**

WHEREAS, pursuant to Act 334 [Series E-313.] of the Session Laws of Hawaii 1949, the duly elected delegates to the Constitutional Convention of 1950 were assembled at Honolulu from the 4th day of April, 1950, to the 22nd day of July, 1950, for the purpose of forming a constitution and state government and otherwise preparing for the admission of Hawaii as a state; and

WHEREAS, a proposed constitution consisting of sixteen articles was duly framed by said Convention in full conformity with all of the provisions of said Act 334; and

WHEREAS, the results of said Convention have been reported to the Legislature of the Territory of Hawaii for its consideration; and

WHEREAS, the proposed constitution is acceptable in its entirety to the Legislature of the Territory of Hawaii; and

WHEREAS, it is necessary and proper that the proposed constitution be submitted to the people of the Territory for ratification or rejection; now, therefore,

**SUBMISSION OF CONSTITUTION FOR RATIFICATION**

*Be it Enacted by the Legislature of the Territory of Hawaii:*

Section 1. The proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 shall be submitted to the people of the Territory of Hawaii for ratification or rejection at the general election to be held on the 7th day of November, 1950. Persons possessing the qualifications to vote for representatives to the Legislature of the Territory of Hawaii shall be entitled to vote on the ratification or rejection of said constitution. Such submission shall be by ballot and shall be conducted and the results thereof determined in conformity with the law governing general elections, except as herein otherwise provided. The ballot for such submission shall be printed and distributed by the Secretary of Hawaii and shall be substantially in the following form:

**OFFICIAL BALLOT**

General Election, Tuesday, November 7, 1950

Shall the proposed Constitution of the State of Hawaii be adopted	YES	
	NO	

To vote, make a X in the square to the right of "YES" or "NO".

The voter shall mark his ballot by a cross mark (X) in one of the squares to the right of the word "YES" or "NO".

The returns of said submission shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor.

Section 2. If a majority of the legal votes cast upon the submission provided for by section 1 shall reject the constitution, the Governor by proclamation shall order the Constitutional Convention to reassemble at a date not later than twenty days after the results of the submission are certified to the Governor and thereupon the Convention shall frame a new constitution, which shall be submitted to the people in the manner provided by this Joint Resolution at a special election to be held not later than sixty days after it is agreed upon by the Convention. The Governor shall issue a proclamation fixing the date of the special election. The compensation of each delegate shall be the sum of \$500 for the session.

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Whenever a majority of the legal votes cast upon such submission shall ratify the constitution, the Governor shall cause certified copies of the constitution to be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the Committee on Interior and Insular Affairs of the Senate, the Chairman of the Committee on Public Lands of the House of Representatives, and the Delegate to Congress from Hawaii.

Section 3. At least ten days before the general election to be held on the 7th day of November, 1950, the Secretary of Hawaii shall cause a true and correct copy of the proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949, to be published in two newspapers of general circulation in the Territory of Hawaii. In the event of the submission of a new constitution as provided in section 2, it shall be published in like manner.

Section 4. There is hereby appropriated from the general revenues of the Territory the sum of \$5,000, or so much thereof as may be necessary, to carry out the provisions of sections 1 and 3 of this Joint Resolution.

There is further appropriated from the general revenues of the Territory the sum of \$75,000, or so much thereof as may be necessary, for the compensation and mileage of the delegates and other expenses of the Constitutional Convention and the expenses of the special election in the event that the Convention is reassembled and the special election is held pursuant to the provisions of section 2 of this Joint Resolution.

The moneys appropriated herein shall be disbursed upon vouchers approved by the Secretary of Hawaii.

Section 5. This Joint Resolution shall take effect upon its approval.

(Approved October 12, 1950.) H.J.R. 1, J.R. 1.

**Note:** Index of Acts and Resolution appears in Cumulative Index commencing on page 769.